

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael D. SENGER

Group Art Unit: 2621

Appln. No. : 10/603,868

Examiner: David J. Czekaj

Filed : June 26, 2003

Confirmation No.: 1430

For : SYSTEM AND METHOD FOR EFFICIENTLY USING VIDEO ENCODING  
RESOURCES

## NOTICE OF APPEAL

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, Mail Stop AF  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action dated December 24, 2008, in which claims 1-5, 10, and 14-20 are finally rejected. A Pre-Appeal Brief Request for Review is submitted herewith.

A Notice of Appeal fee was previously paid in this application on February 27, 2008, and prosecution was re-opened in a Notice dated April 21, 2008 before a final decision was rendered by the Board. Therefore, according to MPEP 1204.01, the previously paid appeal fees should be applied to this Notice of Appeal, and Applicants only need to pay the difference between the current fee and the amount previously paid. Accordingly, the Commissioner is authorized to charge the difference (i.e., \$540 - \$510 = \$30) to Deposit Account No. 19 - 0089.

Please charge any additional fees necessary for consideration of the papers filed herein and refund excess payments to Deposit Account No. 19-0089.

February 24, 2009  
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Respectfully submitted,  
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